



DIKE, BRONSTEIN, ROBERTS &  
CUSHMAN  
130 Water Street  
Boston, MA 02109-4280

DECLARATION  
AND POWER OF ATTORNEY  
Original Application

ATTORNEY'S DOCKET NO: (If Any)

43471

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed at 201 below) or an original, first and joint inventor (if plural names are listed at 201-203 below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Nucleic Acid Delivery System, Method of Synthesis and Uses Thereof**

which is described and claimed in:

☐ the attached specification or

☒ the specification in application Serial No. **08/199,070**  
(for declaration not accompanying application)

filed **February 22, 1994**

And was amended on

if applicable

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a.)

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION			
COUNTRY	APPLICATION	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES NO
			YES NO
ALL FOREIGN APPLICATIONS, IF ANY, FILED MORE THAN 12 MONTHS PRIOR TO THE FILING DATE OF THIS APPLICATION			

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (Patented, pending, abandoned)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) with full powers of association, substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

Sewall P. Bronstein (Reg. No. 16919)	George W. Neuner (Reg. No. 26964)	Henry D. Pahl, Jr. (Reg. No. 20438)
Donald Brown (Reg. No. 20845)	Gregory D. Williams (Reg. No. 30901)	David S. Resnick (Reg. No. 34235)
Robert L. Goldberg (Reg. No. 22456)	Ernest V. Linek (Reg. No. 29822)	Peter F. Corless (Reg. No. 33860)
Robert F. O'Connell (Reg. No. 19817)	Linda M. Buckley (Reg. No. 31003)	
David G. Conlin (Reg. No. 27026)	Ronald I. Eisenstein (Reg. No. 30628)	

**SEND CORRESPONDENCE TO:**

**David G. Conlin, Esq.**  
Dike, Bronstein, Roberts & Cushman  
130 Water Street  
Boston, MA 02109-4280

**DIRECT TELEPHONE CALLS TO:**

(name and telephone number)

**Ronald I. Eisenstein, Esq.**  
617/523-3400 Fax 617/523-6440

201	FULL NAME OF INVENTOR	LAST NAME <b>Marasco</b>	FIRST NAME <b>Wayne</b>	MIDDLE NAME <b>A.</b>
	RESIDENCE & CITIZENSHIP	CITY <b>Wellesley</b>	STATE OR FOREIGN COUNTRY <b>MA</b>	COUNTRY OF CITIZENSHIP <b>USA</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>43 Rice Street</b>	CITY <b>Wellesley</b>	STATE OR COUNTRY <b>MA</b>
202	FULL NAME OF INVENTOR	LAST NAME <b>Chen</b>	FIRST NAME <b>Si-Yi</b>	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY <b>Brookline</b>	STATE OR FOREIGN COUNTRY <b>MA</b>	COUNTRY OF CITIZENSHIP <b>USA</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>229 St. Paul Street, Rear</b>	CITY <b>Brookline</b>	STATE OR COUNTRY <b>MA</b>
203	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE OF INVENTOR 201 <i>Wayne P. Marasco</i>	SIGNATURE OF INVENTOR 202 <i>Si-Yi Chen</i>	SIGNATURE OF INVENTOR 203
DATE <b>4/25/94</b>	DATE <b>4/25/94</b>	DATE

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☒ the attached specification or

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And was amended on .....

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			YES NO
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(Application Serial No.)	(Filing Date)	(Status) (Patented, pending, abandoned)

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David G. Conlin	(Reg. No. 27026)	Ronald I. Eisenstein	(Reg. No. 30628)		

SEND CORRESPONDENCE TO:

David G. Conlin, Esq.  
Dike, Bronstein, Roberts & Cushman  
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Boston, MA 02109-4280

DIRECT TELEPHONE CALLS TO:

(name and telephone number)

Ronald I. Eisenstein, Esq.

617/523-3400

Fax 617/523-6440

201	FULL NAME OF INVENTOR	LAST NAME Marasco	FIRST NAME Wayne	MIDDLE NAME A.
	RESIDENCE & CITIZENSHIP	CITY Wellesley	STATE OR FOREIGN COUNTRY MA	COUNTRY OF CITIZENSHIP USA
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 43 Rice Street	CITY Wellesley	STATE OR COUNTRY MA
202	FULL NAME OF INVENTOR	LAST NAME Chen	FIRST NAME Si-Yi	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY Brookline	STATE OR FOREIGN COUNTRY MA	COUNTRY OF CITIZENSHIP USA
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 229 St. Paul Street, Rear	CITY Brookline	STATE OR COUNTRY MA
203	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
DATE	DATE	DATE

Applicant or Patentee: Wayne Marasco and Si-Yi Chen

Attorney's

Serial or Patent No.: 08/199,070

Docket N.: 43,471

Filed or Issued: February 22, 1994

For: Nucleic Acid Delivery System, Method Of Synthesis And Uses Thereof

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9 (f) and 1.27 (d)) — NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Dana-Farber Cancer Institute

ADDRESS OF ORGANIZATION 44 Binney Street  
Boston, MA 02115

**TYPE OF ORGANIZATION**

- ☐ University or other institution of higher education  
☒ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3))  
☐ Nonprofit scientific or educational under statute of state of The United States of America  
(Name of state \_\_\_\_\_)  
(Citation of statute \_\_\_\_\_)  
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c) (3)) if located in  
The United States of America  
☐ Would qualify as nonprofit scientific or educational under statute of state of The United States of America if located  
in The United States of America  
(Name of state \_\_\_\_\_)  
(Citation of statute \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9 (e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled Nucleic Acid Delivery System, Method Of Synthesis & Uses Thereof by inventor(s) Wayne A. Marasco and Si-Yi Chen described in

- ☐ the specification filed herewith  
☒ application serial no. 08/199,070, filed February 22, 1994  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Julia D. Hart

TITLE IN ORGANIZATION Patent Counsel

ADDRESS OF PERSON SIGNING 44 Binney Street, Boston, MA 02115

SIGNATURE Julia D. Hart

DATE April 26, 1994